

REVOKEDAPPLICATION No. 168PERMIT No. 56LICENSE No. 17**CALIFORNIA STATE WATER COMMISSION**

THIS IS TO CERTIFY, That THE NORTHWESTERN PACIFIC RAILROAD COMPANY
 of SAN FRANCISCO, State of CALIFORNIA, has made proof
 to the satisfaction of the STATE WATER COMMISSION of California of a right to the use of the waters of
Poonkinney Creek, a tributary of Middle Fork of Eel River,
 for the purpose of railroad and domestic under Permit No. 56 of the
 State Water Commission; and that said right to the use of said waters has been perfected in accordance with the laws
 of California, the rules and regulations of the State Water Commission and the terms of said permit, and duly
 confirmed by order of the STATE WATER COMMISSION of California, made and entered of record in the minutes
 of said Commission, at San Francisco, in Volume 1, at page 260, on the 28th day of September, 1917;
 that the priority of the right hereby confirmed dates from October 28, 1915; that the amount
 of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to the amount
 actually beneficially used for said purposes, and shall not exceed eight hundredths (.08) cubic foot per second, to be
 used from about January 1st to about December 31st of each year.

A description of the lands or the place where such water is put to beneficial use is as follows:
at railroad station of Dos Rios on line of Northwestern Pacific
Railroad in Lot 12 of Sec. 31, T. 22 N., R. 13 W., M.D.M.

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein
 described.

This license is granted and said appropriator takes all rights herein mentioned subject to the terms and conditions
 set forth in Section 20 of the Water Commission Act which is as follows:

SEC. 20. All permits and licenses for the appropriation of water shall be under the terms and conditions of this act, and shall be effective
 for such time as the water actually appropriated under such permits and licenses shall actually be used for the useful and beneficial purpose
 for which said water was appropriated, but no longer; and every such permit or license shall include the enumeration of conditions
 therein which in substance shall include all of the provisions of this section and likewise the statement that any appropriator of water,
 to whom said permit or license may be issued, shall take the same subject to such conditions as therein expressed; provided, that at
 any time after the expiration of twenty years after the granting of a license, the state or any city, city and county, municipal
 water district, irrigation district, lighting district, or any political subdivision of the state shall have the right to purchase the works
 and property occupied and used under said license and the works built or constructed for the enjoyment of the rights granted under
 said license; and in the event that the said state, city, city and county, municipal water district, irrigation district, lighting district or
 political subdivision of the state so desiring to purchase and the said owner of said works and property can not agree upon said pur-
 chase price, said price shall be determined in such manner as is now or may hereafter be determined in eminent domain proceedings. If it
 shall appear to the state water commission at any time after a permit or license is issued as in this act provided that the permittee, or licensee,
 or the heirs, successors, or assigns, of said permittee or licensee, has not put the water granted under said permit or license to the useful or
 beneficial purpose for which the permit or license was granted, or that the permittee or licensee, or the heirs, successors, or assigns of said
 permittee or licensee, has ceased to put said water to such useful or beneficial purpose, or that the permittee or licensee, or the heirs, suc-
 cessors or assigns of said permittee or licensee, has failed to observe any of the terms and conditions in the permit or license as issued, then and in
 that case the said commission, after due notice to the permittee, licensee, or the heirs, successors or assigns of such permittee or licensee, and
 a hearing thereon, may revoke said permit or license and declare the water to be unappropriated and open to further appropriation in accord-
 ance with the terms of this act. The findings and declaration of said commission shall be deemed to be prima facie correct until modified or
 set aside by a court of competent jurisdiction; provided, that any action brought so to modify or set aside such finding or declaration must be
 commenced within thirty days after the service of notice of said revocation on said permittee or licensee, his heirs, successors or assigns. And
 every licensee or permittee under the provisions of this act if he accepts such permit or license shall accept the same under the conditions
 precedent that no value whatsoever in excess of the actual amount paid to the state therefor shall at any time be assigned to or claimed for
 any permit or license granted or issued under the provisions of this act, or for any rights granted or acquired under the provisions of this
 act, in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any permittee
 or licensee, his heirs, successors or assigns or by the holder of any rights granted or acquired under the provisions of this act, or in respect to
 any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the state or any city, city and
 county, municipal water district, irrigation district, lighting district or any political subdivision of the state, of the rights and property of
 any permittee or licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this act. The application for a
 permit by municipalities for the use of water for said municipalities or the inhabitants thereof for domestic purposes shall be considered first in
 right, irrespective of whether they are first in time; provided, however, that such application for a permit or the granting thereafter of per-
 mission to any municipality to appropriate waters, shall not authorize the appropriation of any water for other than municipal purposes;
 and providing, further, that where permission to appropriate is granted by the state water commission to any municipality for any quantity of
 water in excess of the existing municipal needs therefor, that pending the application of the entire appropriation permitted, the state water
 commission shall have the power to issue permits for the temporary appropriation of the excess of such permitted appropriation over and
 above the quantity being applied from time to time by such municipality; and providing, further, that in lieu of the granting of such tem-
 porary permits for appropriation, the state water commission may authorize such municipality to become as to such surplus a public utility,
 subject to the jurisdiction and control of the railroad commission of the State of California for such period or periods from and after the date
 of the issuance of such permission to appropriate, as may be allowed for the application to municipal uses of the entire appropriation per-
 mitted; and providing, further, that when such municipality shall desire to use the additional water granted in its said application it may do
 so upon making just compensation for the facilities for taking, conveying and storing such additional water rendered valueless for said pur-
 poses, to the person, firm or corporation which constructed said facilities for the temporary use of said excess waters, and which compensa-
 tion, if not agreed upon between the municipality and said person, firm or corporation, may be determined in the manner provided by law
 for determining the value of property taken by and through eminent domain proceedings.

WITNESS the seal and signature of the STATE WATER COMMISSION, affixed this

third day of October, 1917

STATE WATER COMMISSION.

By _____

Irving Martin

A. E. Chandler

APPLICATION No. 180PERMIT No. 53LICENSE No. 18

CALIFORNIA STATE WATER COMMISSION

THIS IS TO CERTIFY, That ROGER PHILIP DALTONof Azusa, State of California, has made proof to the satisfaction of the STATE WATER COMMISSION of California of a right to the use of the waters ofa spring in Los Angeles County, tributary of San Gabriel River,for the purpose of agriculture under Permit No. 53 of the State Water Commission; and that said right to the use of said waters has been perfected in accordance with the laws of California, the rules and regulations of the State Water Commission and the terms of said permit, and duly confirmed by order of the STATE WATER COMMISSION of California, made and entered of record in the minutesof said Commission, at San Francisco, in Volume 1, at page 266, on the 16th day of October, 1917;that the priority of the right hereby confirmed dates from November 12, 1915; that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to the amountactually beneficially used for said purposes, and shall not exceed three-fortieths ^(3/40) cubic feet per second, to beused from about May January 1st to about October December 31st of each year.

A description of the lands or the place where such water is put to beneficial use is as follows:

10 acres in N¹/₂ NW¹/₄ of Sec. 23, T. 1 N., R. 10 W., S.B.M.

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described.

This license is granted and said appropriator takes all rights herein mentioned subject to the terms and conditions set forth in Section 20 of the Water Commission Act which is as follows:

Sec. 20. All permits and licenses for the appropriation of water shall be under the terms and conditions of this act, and shall be effective for such time as the water actually appropriated under such permits and licenses shall actually be used for the useful and beneficial purpose for which said water was appropriated, but no longer; and every such permit or license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this section and likewise the statement that any appropriator of water, to whom said permit or license may be issued, shall take the same subject to such conditions as therein expressed; provided, that at any time after the expiration of twenty years after the granting of a license, the state or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the state shall have the right to purchase the works and property occupied and used under said license and the works built or constructed for the enjoyment of the rights granted under said license; and in the event that the said state, city, city and county, municipal water district, irrigation district, lighting district or political subdivision of the state so desiring to purchase and the said owner of said works and property can not agree upon said purchase price, said price shall be determined in such manner as is now or may hereafter be determined in eminent domain proceedings. If it shall appear to the state water commission at any time after a permit or license is issued as in this act provided that the permittee, or licensee, or the heirs, successors, or assigns, of said permittee or licensee, has not put the water granted under said permit or license to the useful or beneficial purpose for which the permit or license was granted, or that the permittee or licensee, or the heirs, successors, or assigns of said permittee or licensee, has ceased to put said water to such useful or beneficial purpose, or that the permittee or licensee, or the heirs, successors or assigns of said permittee or licensee, has failed to observe any of the terms and conditions in the permit or license as issued, then and in that case the said commission, after due notice to the permittee, licensee, or the heirs, successors or assigns of such permittee or licensee, and a hearing thereon, may revoke said permit or license and declare the water to be unappropriated and open to further appropriation in accordance with the terms of this act. The findings and declaration of said commission shall be deemed to be prima facie correct until modified or set aside by a court of competent jurisdiction; provided, that any action brought so to modify or set aside such finding or declaration must be commenced within thirty days after the service of notice of said revocation on said permittee or licensee, his heirs, successors or assigns. And every licensee or permittee under the provisions of this act if he accepts such permit or license shall accept the same under the conditions precedent that no value whatsoever in excess of the actual amount paid to the state therefor shall at any time be assigned to or claimed for any permit or license granted or issued under the provisions of this act, or for any rights granted or acquired under the provisions of this act, in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any permittee or licensee, his heirs, successors or assigns or by the holder of any rights granted or acquired under the provisions of this act, or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the state or any city, city and county, municipal water district, irrigation district, lighting district or any political subdivision of the state, of the rights and property of any permittee or licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this act. The application for a permit by municipalities for the use of water for said municipalities or the inhabitants thereof for domestic purposes shall be considered first in right, irrespective of whether they are first in time; provided, however, that such application for a permit or the granting thereafter of permission to any municipality to appropriate waters, shall not authorize the appropriation of any water for other than municipal purposes; and providing, further, that where permission to appropriate is granted by the state water commission to any municipality for any quantity of water in excess of the existing municipal needs therefor, that pending the application of the entire appropriation permitted, the state water commission shall have the power to issue permits for the temporary appropriation of the excess of such permitted appropriation over and above the quantity being applied from time to time by such municipality; and providing, further, that in lieu of the granting of such temporary permits for appropriation, the state water commission may authorize such municipality to become as to such surplus a public utility, subject to the jurisdiction and control of the railroad commission of the State of California for such period or periods from and after the date of the issuance of such permission to appropriate, as may be allowed for the application to municipal uses of the entire appropriation permitted; and providing, further, that when such municipality shall desire to use the additional water granted in its said application it may do so upon making just compensation for the facilities for taking, conveying and storing such additional water rendered valueless for said purposes, to the person, firm or corporation which constructed said facilities for the temporary use of said excess waters, and which compensation, if not agreed upon between the municipality and said person, firm or corporation, may be determined in the manner provided by law for determining the value of property taken by and through eminent domain proceedings.

WITNESS the seal and signature of the STATE WATER COMMISSION, affixed this

1st day of November, 1917.

STATE WATER COMMISSION.

By W. A. JohnstoneA. E. Chandler

9/24/51 License now in name, Roger R Dalton

11-22-71

RECEIVED NOTICE OF ASSIGNMENT TO

Ralph M. Lytle & Sons Corp

1-17-86 Ownership Chgd to Ralph M. Covell

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

ORDER

APPLICATION 168

PERMIT 56

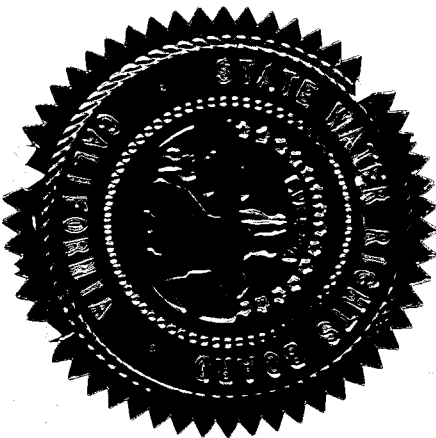
LICENSE 17

ORDER REVOKING LICENSE

On July 28, there was received for and on behalf of licensee a request that License 17, issued in the matter of Application 168, be revoked.

IT IS THEREFORE ORDERED that said license be and the same is hereby revoked and canceled, without prejudice, upon the records of the State Water Rights Board.

WITNESS my hand and the seal of the State Water Rights Board
this 12th day of September, 1960



L. K. Hill
L. K. Hill
Executive Officer